

**TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE**



**FISCAL NOTE**

**SB 3684 - HB 3762**

March 4, 2012

**SUMMARY OF BILL:** Requires any attorney who has admitted, claimed by affidavit under oath, or has been found by a court of competent jurisdiction to have rendered ineffective assistance of counsel in a criminal case to repay to the state any funds received from the state relating to the case in which ineffective assistance of counsel was rendered.

**ESTIMATED FISCAL IMPACT:**

**NOT SIGNIFICANT**

**Assumptions:**

- The number of times an attorney has admitted or has claimed by affidavit under oath that he or she rendered ineffective assistance of counsel and the number of times a court has determined that an attorney has rendered ineffective assistance is estimated to be not significant. Requiring such attorneys to repay funds received from the state for such cases will not result in a significant fiscal state impact.
- According to the Administrative Office of the Courts, some revenue could be generated for the Indigent Defense Fund by reimbursement from such attorneys; however, any increase is estimated to be not significant.

**CERTIFICATION:**

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, appearing to read "Lucian D. Geise".

Lucian D. Geise, Executive Director

/lsc

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